

RECEIVED
CENTRAL FAX CENTER

FEB 08 2008

"PATENT"

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of) Before the Examiner
 Angela J. Keeney, et al.) Ellen M. McAvoy
 U. S. Serial No. 10/678,468) Confirmation Number: 3346
 Filed: October 3, 2003) Group Art Unit: 1764
 HIGH VISCOSITY INDEX WIDE-)
 TEMPERATURE FUNCTIONAL FLUID) Family Number: P2002J112 US2
 COMPOSITIONS AND METHODS FOR)
 THEIR MAKING AND USE)

Commissioner for Patents
 P.O. Box 1450
 Alexandria, Virginia 22313-1450

Sir:

CLAIM REJECTIONS 35 USC 103

All the independent claims have a limitation of a functional fluid comprising a base stock with a pour point of less than -35°C. This is an important limitation that Examiner has missed. The Examiner has stated, "Murphy does disclose in columns 9-10 formulated blends containing the inventive base stocks having viscosity indices ranging from 219 to 233 and pour points ranging from -46°C to -68°C which meet the limitations of the claims." This statement is not correct. The pour points ranging from -46°C to -68°C are for fully formulated blends but the claims are for base stocks with a

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the
 Commissioner for Patents facsimile number 1-571-273-8300 on the date shown below.

Susan Fleming
 Print name of person signing certification

Signature

August 17, 2007

Date



27810
 PATENT TRADEMARK OFFICE